

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re: Patent Application of	:	PATENT APPLICATION
CHARLES B. GREENBERG et al.	:	
Serial No.: 10/075,316	:	Group Art Unit: 1731
Filed: February 14, 2002	:	Examiner: S. Vincent
For: PHOTOCATALYTICALLY-ACTIVATED SELF-CLEANING ARTICLE AND METHOD OF MAKING SAME	:	Confirmation No. 1107
	:	Attorney Docket No. 1240D2

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Your petitioner, PPG INDUSTRIES OHIO, INC., a corporation of the State of Delaware, having a place of business at Cleveland, in the County of Cuyahoga, and State of Ohio, represents as follows:

That it is the Assignee of the entire right, title and interest in and to United States Application Serial No. 10/075,316, filed February 14, 2002, for "PHOTOCATALYTICALLY-ACTIVATED SELF-CLEANING ARTICLE AND METHOD OF MAKING SAME" and United States Patents 6,027,766 for "PHOTOCATALYTICALLY-ACTIVATED SELF-CLEANING ARTICLE AND METHOD OF MAKING SAME", and 6,413,581 for "PHOTOCATALYTICALLY-ACTIVATED SELF-CLEANING ARTICLE AND METHOD OF MAKING SAME";

That the assignment conveying to PPG Industries, Inc., the parent company of PPG Industries Ohio, Inc., the entire right, title and interest in said Application Serial No. 10/075,316, filed February 14, 2002, was recorded in the United States Patent and Trademark Office on March 17, 1998, at Reel 9077, Frame 0897 and had 7 pages;

That the assignment conveying to PPG Industries Ohio, Inc., the entire right, title and interest in said Application Serial No. 10/075,316, filed February 14, 2002, from PPG Industries, Inc. was recorded in the United States Patent and Trademark Office on February 2, 1999, at Reel 9737, Frame 0591 and had 38 pages;

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That the assignment conveying to PPG Industries, Inc., the parent company of PPG Industries Ohio, Inc., the entire right, title and interest in:

- i) the Application Serial No. 08/899,257 filed July 23, 1997, that issued as U.S. Patent 6,027,766; and
- ii) the Application Serial No. 09/282,943, filed April, 1, 1999, that issued as U.S. Patent 6,413,581B1

was recorded on March 17, 1998, at Reel 9077, Frame 0897 and had 7 pages;

That the assignment conveying to PPG Industries Ohio, Inc. the entire right, title and interest from PPG Industries, Inc., for U.S. Patent Nos. 6,027,766 and 6,413,581B1 was recorded on February 9, 1999, at Reel 9737, Frame 0591 and had 38 pages;

That your petitioner, PPG INDUSTRIES OHIO, INC., hereby disclaims the terminal part of any patent granted on the Application Serial No. 10/075,316, filed February 14, 2002, for "PHOTOCATALYTICALLY-ACTIVATED SELF-CLEANING ARTICLE AND METHOD OF MAKING SAME", which would extend beyond the term of U.S. Patent Nos. 6,027,766 and 6,413,581B1;

That your petitioner does not disclaim any terminal part of any patent granted on said Application Serial No. 10/075,316, filed February 14, 2002, for "PHOTOCATALYTICALLY-ACTIVATED SELF-CLEANING ARTICLE AND METHOD OF MAKING SAME", prior to date of the full statutory term for U.S. Patent Nos. 6,027,766 and 6,413,581B1 in the event that hereafter said U.S. Patent Nos. 6,027,766 and 6,413,581B1 expire for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term, except for separation of legal title stated below;

That your petitioner, PPG INDUSTRIES OHIO, INC., hereby agrees that any patents granted on the Application Serial No. 10/075,316, filed February 14, 2002, for "PHOTOCATALYTICALLY-ACTIVATED SELF-CLEANING ARTICLE AND METHOD OF MAKING SAME", shall be enforceable only for and during such period that the legal title to

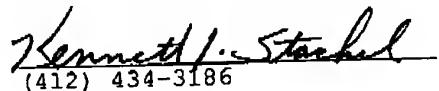
any such patent and U.S. Patent Nos. 6,027,766 and 6,413,581B1 other than as expressed in the immediate preceding paragraph shall be the same;

That your petitioner, PPG INDUSTRIES OHIO, INC., hereby agrees that this agreement is to run with any patent granted on the above-identified application Serial No. 10/075,316, filed February 14, 2002, for "PHOTOCATALYTICALLY-ACTIVATED SELF-CLEANING ARTICLE AND METHOD OF MAKING SAME", and U.S. Patent Nos. 6,027,766 and 6,413,581B1, and to be binding upon any grantee, its successors, or assigns.

WHEREFORE, your petitioner, PPG INDUSTRIES OHIO, INC., prays that this TERMINAL DISCLAIMER be made of record in the file of this Application Serial No. 10/075,316, filed February 14, 2002, for "PHOTOCATALYTICALLY-ACTIVATED SELF-CLEANING ARTICLE AND METHOD OF MAKING SAME", and further that this TERMINAL DISCLAIMER be given due effect under 37 CFR 1.321.

Respectfully submitted,

KENNETH J. STACHEL, ESQ.
Registration No. 27,722
Attorney for Applicant


(412) 434-3186

Pittsburgh, Pennsylvania
February 3, 2003

Fax No. 703-872-9790

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the attached

COMMUNICATION FURTHER TO THE AMENDMENT MAILED NOVEMBER 22, 2002

COMMUNICATION WITH AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

TERMINAL DISCLAIMER

are being facsimile transmitted to the United States Patent and Trademark Office on the date shown below for the application designated below.

Kenneth J. Stachel
Type or print name of person signing certification

Kenneth J. Stachel
Signature

2/3/03
Date

Total Number of Pages (including this page) -- 6 pages

In Re Application of: Charles B. Greenberg et al.

Serial No. 10/075,316

Filed: February 14, 2002

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Applicant's Case No. 1240D2

Examiner: Sean Vincent

Group Art: 1731

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SELF-CLEANING ARTICLE AND :
METHOD OF MAKING SAME : Attorney Docket No. 1240D2
:

COMMUNICATION FURTHER TO THE AMENDMENT MAILED NOVEMBER 22, 2002

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Further to the amendment mailed by Applicants on November 22, 2002, transmitted herewith by facsimile is a Terminal Disclaimer to overcome the objection under non-statutory double patenting from U.S. Patent 6,027,766 for Claims 41-77 and from U.S. Patent 6,413,581 for claims 41-44, 46-50, 52-60, 64, 66, 67, 76 and 77.

Entry of the Terminal Disclaimer is respectfully requested.

Respectfully submitted,

KENNETH J. STACHEL, ESQ.
Registration No. 27,722
Attorney for Applicant

Kenneth J. Stachel
(412) 434-3186

Pittsburgh, Pennsylvania
February 3, 2003